



Psychiatric Security Review Board

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ARIZONA STATE PSYCHIATRIC SECURITY REVIEW BOARD OPEN SESSION MINUTES

July 23, 2021

**PSRB Hearing Room
2500 E. Van Buren St.
Phoenix, AZ 85008**

Members:

James P. Clark, M.D., Chairperson

Michael J. Klemens, Ph.D., Vice-Chairperson 📞

Paul O'Connell, M.S., M.P.A

Susan Stevens, Esq. 📞

Assistant Attorney General:

Jeanne Galvin, Esq.

Staff:

Hannah N. Garcia, Executive Director

Guests Present and/or Participating

Akram Bhatti, M.D. 📞

Christopher Martell

Cody Meeks

Dana Owens, Esq., 📞

Diana Walayat, M.D. 📞

Erin Cohen, Esq., ASH 📞

Gabriel Chin, Esq., 📞

Holly Giesel, Esq., 📞

James Holmes, Psy.D. 📞

Jamarall Jordan 📞

John Blischak, Esq. 📞

Juli Warzynski, Esq. 📞
Katie Wilcox
Kennedy Klagge, Esq. 📞
Matthew Mooney
Nora Greer, Esq.
Robert Olson
Scarlett Castillo 📞
Sherry Leckrone, Esq., 📞
Stefanie Jones-Campbell, Esq. 📞
Stephen Morris, M.D., ASH 📞

📞 Participated Telephonically

Call To Order:

James Clark called the meeting to order at 1:00 p.m. and read the Executive Session Confidentiality Statement:

“Minutes of and discussions made in executive session are required by law to be kept confidential and shall not be communicated to any person outside this meeting room, except to members of the Board, a person who is the subject of the discussion pursuant to Arizona Revised Statutes (A.R.S.) § 38-431.03(A)(1), the Auditor General in connection with an audit authorized by law, and the Attorney General. This means that persons present during an executive session of the PSRB may not disclose any information regarding the executive session or discuss those proceedings with any person who was not also present at the executive session.”

Dr. Clark swore in individuals who anticipated testifying.

Statutory Hearings:

Scarlett Castillo – PSRB No. 19-06

Scarlett Castillo was present telephonically and through counsel, Kennedy Klagge, who participated telephonically. The statutory hearing was held from 1:05 p.m. to 1:08 p.m. pursuant to A.R.S. § 13-3994 (F). This is an initial hearing, there is no recommendation.

After further discussion, a motion was made by Paul O’Connell, seconded by Susan Stevens, and passed unanimously to deny conditional release for Scarlett Castillo based on the evidence presented by the Arizona State Hospital’s treatment team, that Ms. Castillo did not prove by clear and convincing evidence that she no longer suffers from a mental disease or

defect, that the mental disease or defect is in stable remission, and that she is no longer dangerous. Ms. Castillo shall remain committed in the Arizona State Hospital.

Jamarall Jordan – PSRB No. 04-01

Jamarall Jordan was present telephonically, and through counsel, John Blischak, who participated telephonically. The statutory hearing was held from 1:09 p.m. to 1:29 p.m. pursuant to A.R.S. § 31-502(A)(5) and (B)(4). The outpatient treatment team is requesting out-of-state travel and a decrease in AA/NA meeting requirements.

Courtney Bradford stated that Mr. Jordan has been very stable and active in the community. He has not had any issues and Mr. Jordan stays compliant with all conditional release requirements.

Gabriel Chin wanted assurance that Mr. Jordan is not allowed to have contact with the victim's family members, as part of his conditional release to the community orders.

Dr. Clark stated that Mr. Jordan's conditional release to the community orders do not allow contact with the victim'

Gabriel Chin asked Ms. Bradford if Mr. Jordan, who has been released into the community, and who has been stable with no symptoms is monitored by his treatment team as to his potential for relapse.

Courtney Bradford stated that Mr. Jordan has remained stable in the community and that Mr. Jordan's treatment team has considered all possible factors and outcomes in reference to relapse for Mr. Jordan.

John Blischak stated that Mr. Jordan has travelled to Texas several times and has never had a problem. He urged the Board to approve the request.

Michael Klemens asked Mr. Jordan if he was driving or flying to Dallas, Texas.

Jamarall Jordan stated that he was flying to Dallas, Texas.

Dr. Clark stated that he is hesitant to change any part of Mr. Jordan's treatment plan, AA/NA meetings included, because it seems Mr. Jordan has done very well for many years with his current treatment plan and its meeting attendance requirements.

Jamarall Jordan stated that he has never been an addict, and would strongly urge the Board to reduce his AA/NA monthly meeting requirement.

Michael Klemens asked Courtney Bradford if she would support a step-down in meeting requirements to twice a month, rather than to once a month.

Courtney Bradford stated that a step down to twice a month, would be a great step forward.

After further discussion, a motion was made by Dr. Clark, seconded by Michael Klemens and passed unanimously to approve the request for out of state travel to Dallas, Texas leaving August 26 and returning August 30. The pass is to include telephone contact with his treatment team on August 27, and a urine drug screen 48 hours after his return. The motion was based on the evidence presented by the outpatient treatment team, that Jamarall Jordan's mental disease or defect is in stable remission and he is not dangerous if he remains compliant with the terms of his conditional release treatment plan.

After further discussion, a motion was made by Michael Klemens, seconded by Paul O'Connell, and passed unanimously to reduce Jamarall Jordan's meeting attendance to twice a month based on the evidence presented today.

Cody Francis Zachary Meeks No. 18-07

Cody Meeks was present in person and through counsel, Stefanie Jones-Campbell, who participated telephonically. The statutory hearing was held from 1:30 p.m. to 1:36 p.m. pursuant to A.R.S. § 13-3994 (H). ASH is recommending Phase 1, Levels 1 and 2 of conditional release to the Arizona State Hospital.

Stefanie Jones-Campbell stated that she is in support of the report and the recommendation from ASH. Mr. Meeks has made great strides in his treatment in the last 2 years.

After further discussion, a motion was made by Susan Stevens, seconded by Michael Klemens, and passed unanimously to approve Cody Meeks for conditional release to the Arizona State Hospital, Phase 1, Levels 1 and 2, and to adopt the conditional release plan, based on the evidence presented by the Arizona State Hospital's treatment team, that Cody Meeks' mental disease or defect is in stable remission and he is not dangerous if he remains a resident of the State Hospital and is compliant with the terms of conditional release and the treatment plan presented today.

Christopher James Martell No. 14-05

Christopher Martell was present telephonically and through counsel, Holly Giesel, who participated telephonically. The statutory hearing was held from 1:37 p.m. to 1: p.m. pursuant to A.R.S. § 13-3994 (J). The PSRB's jurisdiction ends on August 21, 2021. ASH is recommending a COE at discharge.

Holly Giesel stated that she would not want the Board to order court-ordered treatment for Mr. Martell. Mr. Martell has had many challenges during his time at ASH, but he has attended groups and worked with Dr. Morris to find the right medication. Holly Giesel stated that she understands why Dr. Morris would recommend a court-ordered evaluation, but does not agree that Mr. Martell fits the criteria to undergo a court-ordered evaluation.

Christopher Martell stated that he feels great and is thankful for Dr. Morris and all of his help in his treatment. He asked the Board to allow him to be released into the community and receive treatment on his own.

Dr. Clark asked the treatment team what the process would be for Mr. Martell, if the Board were to order a COE upon his release from ASH.

Dr. Katherine Woods explained the evaluation process and that based upon the results of his evaluation, he would be placed in the correct facility.

Dr. Clark made a motion, seconded by Susan Stevens and passed unanimously to order the County Attorney to initiate civil commitment proceedings for Christopher Martell pending the expiration of the PSRB's jurisdiction, based on the evidence presented by the Arizona State Hospital's treatment team, and that the Arizona State Hospital's treatment team be allowed to conditionally release Christopher Martell to the custody of an appropriate law enforcement agency for transportation up to five business days prior to the PSRB's jurisdiction expiration date.

Discussion and Possible Action Related to:

Victim Notification Policy

Michael Klemens asked if a section needs to be added that if a victim is a minor when the crime occurs, the lawful representative would be notified, but that when the victim turns 18, the victim would now get all notifications.

Jeanne Galvin, Esq., stated that she will work with Hannah Garcia, Executive Director to add a sentence detailing that point.

Dr. Clark made a motion, seconded by Michael Klemens and passed unanimously to accept the Post-Conviction Notification Policy as amended.

Discussion and passage of SB1839; legislative process, impact to the Board and upcoming changes.

Dr. Clark provided the Board with his comments and observations on the legislative process that led to the enactment of SB1839. He also explained how some of the changes in the new statute will affect the PSRB going forward. He noted that SB1839 calls for the Board to end on June 30, 2023, at which time the Superior Courts will oversee the care monitoring and decisional responsibilities regarding GEI patients.

October 2021 Meeting.

A motion was made by Dr. Clark, seconded by Susan Stevens and passed unanimously to cancel the October, 2021 meeting and move the one statutory hearing that was scheduled, to the September, 2021 meeting. The attorney for the patient, whose hearing was rescheduled, concurred with this change.

Discussion, Amendment, and Approval of Minutes:

Open session minutes from the May 28, 2021, meeting:

Dr. Clark made a motion, seconded by Paul O'Connell and passed 3-0 to accept the minutes as amended.

Executive & Open session minutes from the June 25, 2021, Meeting:

Dr. Clark made a motion seconded by Susan Stevens and passed 3-0 to accept the minutes as amended.

Identification of Future Agenda Items:

Adjournment:

The Board meeting adjourned 2:20 p.m.